

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**WEST CHESTER UNIVERSITY
FOUNDATION,
Plaintiff,**

v.

**METLIFE INSURANCE CO. OF
CONNECTICUT,
Defendant.**

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**CIVIL ACTION
NO.: 15-3627**

ORDER

AND NOW, this 13th day of April, 2017, upon consideration of Defendant's Motion to Dismiss the Amended Complaint (Dkt No. 18), Plaintiff's Response in Opposition (Dkt No. 19), and Defendant's Reply (Dkt No. 22), it is hereby ORDERED that Defendant's Motion is GRANTED IN PART and DENIED IN PART.

Defendant's Motion to Dismiss is GRANTED as it relates to Counts IV and VI of the Amended Complaint.

Defendant's Motion to Dismiss is DENIED as it relates to Counts I, II, III, and V of the Amended Complaint.

Plaintiff is GRANTED leave to file a second amended complaint within thirty (30) days of the date of this Order.

BY THE COURT:

/s/ C. Darnell Jones, II

C. Darnell Jones, II J.